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Attorneys for
W. SCOTT HARKONEN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

INTERMUNE, INC.,

Defendant.

AND RELATED CASES.

)
) Case No. 06-cr-00707 MHP
) Case No. 08-cr-00164 MHP
) Case No. 08-cv-02376 EMC

) **HARKONEN'S STATEMENT OF**
) **NONOPPOSITION TO**
) **ADMINISTRATIVE MOTION TO**
) **CONSIDER WHETHER CASES SHOULD**
) **BE RELATED**

STATEMENT OF NONOPPOSITION

W. Scott Harkonen, a defendant in Case No. 08-cr-00164 MHP and Case No. 08-cv-02376 EMC, by and through his counsel, submits this Statement of Nonopposition to the Administrative Motion to Consider Whether Cases Should be Related, which was filed by Jarrett, Isenhower, and Frankel (the "Civil Plaintiffs") in Case No. 08-cv-02376 EMC and Case No. 08-cr-0707 MHP on May 9, 2008.

Harkonen hereby joins in the Civil Plaintiffs' request to consider the cases related and to transfer the later-filed case, Case NO. 08-cv-02376, to Judge Marilyn Hall Patel, who is the

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1 judge assigned to the earlier filed cases.

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3 DATED: May 20, 2008

KASOWITZ BENSON TORRES & FRIEDMAN LLP

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5 By: /s/ William M. Goodman
6 WILLIAM M. GOODMAN

7 Attorneys for Defendant W. Scott Harkonen
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